

Exhibit 12



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Transcript of Richard Wesel, Ph.D.

Date: March 17, 2025

Case: Headwater Research LLC -v- Verizon/T-Mobile/AT&T

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	1		3
1	IN THE UNITED STATES DISTRICT COURT	1	APPEARANCES
2	FOR THE EASTERN DISTRICT OF TEXAS	2	
3	MARSHALL DIVISION	3	ON BEHALF OF THE PLAINTIFF
4		4	KRISTOPHER DAVIS, ESQUIRE
5	HEADWATER RESEARCH LLC,	5	JASON M. WIETHOLTER, ESQUIRE
6	Plaintiff,	6	JAMES N. PICKENS, ESQUIRE
7	vs. Civil Action No. 2:23-cv-00379-JRG-RSP	7	REZA MIRZAI, ESQUIRE
8	T-MOBILE USA, INC., et al., (Lead case)	8	RYAN K. LUNDQUIST, ESQUIRE
9	Defendants.	9	Russ August & Kabat
10	-----	10	12424 Wilshire Boulevard
11	HEADWATER RESEARCH LLC,	11	12th Floor
12	Plaintiff,	12	Los Angeles, California 90025
13	vs. Civil Action No. 2:23-cv-00397-JRG-RSP	13	310.826.7474
14	AT&T SERVICES, INC., et al.,	14	kdavis@raklaw.com
15	Defendants.	15	jwietholter@raklaw.com
16	-----	16	jpickens@raklaw.com
17	HEADWATER RESEARCH LLC,	17	rmirzaie@raklaw.com
18	Plaintiff,	18	rlundquist@raklaw.com
19	vs. Civil Action No. 2:23-cv-00352-JRG-RSP	19	
20	VERIZON COMMUNICATIONS, INC., et al.,	20	
21	Defendants.	21	
22	-----	22	
23		23	
24	* CONFIDENTIAL - OUTSIDE ATTORNEYS' EYES ONLY *	24	
25	* CONTAINS SOURCE CODE *	25	
	2		4
1	VIDEOTAPED DEPOSITION OF	1	APPEARANCES CONTINUED
2	RICHARD WESEL, Ph.D.	2	
3	Monday, March 17, 2025	3	ON BEHALF OF THE DEFENDANTS T-MOBILE USA, INC.,
4		4	and VERIZON COMMUNICATIONS, INC.
5		5	BRIAN ROSENTHAL, ESQUIRE
6		6	CHARLIE SIM, ESQUIRE
7	Job No.: 576451	7	Gibson, Dunn & Crutcher LLP
8	Pages: 1 - 232	8	200 Park Avenue
9		9	New York, New York 10166
10		10	212.351.2339
11		11	brosenthal@gibsondunn.com
12	Videotaped deposition of RICHARD WESEL, Ph.D.,	12	csim@gibsondunn.com
13	produced as a witness at the instance of the Defendant,	13	
14	and duly sworn, was taken in the above-styled and	14	HANNAH BEDARD, ESQUIRE
15	numbered cause on Monday, March 17, 2025, from 11:53 a.m.	15	Gibson, Dunn & Crutcher LLP
16	to 9:06 p.m. Eastern Time, before Alison C. Webster, RPR,	16	1700 M Street, N.W.
17	CRR, RMR, RDR, CSR-6266 (Michigan); License No. 14559	17	Washington, D.C. 20003
18	(California); License No. 084.004953 (Illinois);	18	202.777.9579
19	CSR-12432 (Texas), reported by stenographic method, via	19	hbedard@gibsondunn.com
20	videoconference, pursuant to the Federal Rules of Civil	20	
21	Procedure and the provisions stated on the record or	21	
22	attached hereto.	22	
23		23	
24		24	
25		25	

Conducted on March 17, 2025

	17		19
1	MR. ROSENTHAL: Exhibit Number 4 is	1	EXHIBIT 7
2	Appendix C to that report.	2	12:03 p.m.
3	MARKED FOR IDENTIFICATION:	3	A. I mean, I haven't downloaded that exhibit yet, but, I
4	EXHIBIT 4	4	mean, that -- that is -- that's the last of the
5	12:00 p.m.	5	reports, yes.
6	MR. ROSENTHAL: Exhibit Number 5 is	6	BY MR. ROSENTHAL:
7	Appendix D to that report.	7	Q. And then in addition to what we've just identified,
8	MARKED FOR IDENTIFICATION:	8	you also had a supplemental report, I believe.
9	EXHIBIT 5	9	Correct?
10	12:00 p.m.	10	A. Yes.
11	BY MR. ROSENTHAL:	11	Q. That was just served a few days ago. Right?
12	Q. Let me just stop there. The reports that you've --	12	A. That's correct.
13	the report that you generated on February 13th, 2025,	13	MR. ROSENTHAL: Charlie, could you please
14	and the appendices and exhibits thereto constitute	14	put that in as an exhibit?
15	your infringement opinions. Correct?	15	MR. SIM: Yeah, give me a moment here.
16	A. Well, let's see. I believe there are -- there's a	16	MR. ROSENTHAL: Thank you.
17	rebuttal report and then a supplementary report, two	17	MR. SIM: All right, that should be
18	brief reports that also, you know, add to my	18	uploading now.
19	opinions.	19	MR. ROSENTHAL: That's Exhibit 14?
20	Q. Okay. So Exhibit Number -- let me -- let me start	20	MR. SIM: Correct.
21	with just the February 13th reports.	21	MR. ROSENTHAL: Did we put that in the
22	On February 13th, you served an	22	Chat? There it is. Okay.
23	infringement report in all three cases. Correct?	23	MARKED FOR IDENTIFICATION:
24	A. That's correct.	24	EXHIBIT 14
25	Q. And the body of the report, as I understand it, was	25	12:05 p.m.
	18		20
1	intended to be identical across all three cases.	1	BY MR. ROSENTHAL:
2	Correct?	2	Q. And Exhibit Number 14 is your supplemental report with
3	A. It's the same report submitted for all three cases,	3	respect to infringement that is dated March 15th,
4	and then Appendices A, B, and C provide things that	4	2025. Correct?
5	are specific for each defendant.	5	A. Again, I haven't downloaded it, but I believe you.
6	Q. Okay. And so Appendix A was specific to Verizon,	6	Q. Okay. So feel free to download or look at your own
7	Appendix B was specific to T-Mobile, and Appendix C	7	copies of them, but as I understand it, you served an
8	was specific to AT&T. Correct?	8	expert report on February 13th, 2025. You served a
9	A. Yes, that's correct.	9	rebuttal report on March 13th, 2025. You served a
10	MR. ROSENTHAL: And then Exhibit Number 6	10	supplemental report on March 15th, 2025. And you
11	to this deposition is the supplemental infringement	11	served errata to your first report on March 16th,
12	report which is entitled Rebuttal Expert Report -- I'm	12	2025. Correct?
13	sorry, it's entitled Rebuttal Expert Report of	13	A. Yes, that's correct.
14	Dr. Richard D. Wesel Regarding Non-Infringing	14	Q. And those are all the submissions that you've made
15	Alternatives, dated March 13th, 2025.	15	with respect to your opinions in this case. Correct?
16	MARKED FOR IDENTIFICATION:	16	A. That's correct.
17	EXHIBIT 6	17	Q. And do those four documents and the appendices and
18	12:02 p.m.	18	exhibits thereto reflect all of the opinions that you
19	BY MR. ROSENTHAL:	19	intend to offer at trial?
20	Q. Correct?	20	A. Well, I believe so. Unless there's the need to file
21	A. Yes, that's correct.	21	another supplemental report on some issue that comes
22	Q. Okay. And then Exhibit Number 7 is an errata that was	22	up later, so... these are all the reports -- these
23	served last night to your opening infringement report.	23	represent all of my opinions up to this time.
24	Correct?	24	Q. Great. And other than the errata that you served
25	MARKED FOR IDENTIFICATION:	25	yesterday with respect to your February 13th report,